

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

WI-LAN INC.,

Plaintiff,

V.

HTC CORPORATION, et al.,

Defendants.

Civil Action No. 2:11-CV-68
(**LEAD CASE**)

JURY TRIAL REQUESTED

WI-LAN INC.,

Plaintiff,

V.

APPLE INC., et al.,

Defendants.

Civil Action No. 2:12-CV-600-JRG
(CONSOLIDATED CASE)

JURY TRIAL REQUESTED

STIPULATION AND JOINT MOTION

Plaintiff Wi-LAN Inc. (“Wi-LAN”) and Hewlett-Packard Company (hereinafter “HP”) have reached and signed an agreement (“Agreement”) that, among other things, resolves the current dispute. In view of the foregoing, the parties, by and through their counsel of record, hereby stipulate and request the Court order as follows:

- (1) All claims at issue between Wi-LAN and HP in this action, including all claims presented by Wi-LAN and all of HP's counterclaims, shall be dismissed with prejudice; and
- (2) Wi-LAN and HP each shall bear their own costs and attorneys' fees.

Dated: October 14, 2013

Respectfully submitted,

McKool Smith P.C.

/s/ Sam Baxter

Sam Baxter
Texas State Bar No. 01938000
104 East Houston Street, Suite 200
Marshall, Texas 75670
Telephone: (903) 923-9000
Facsimile: (903) 923-9099
sbaxter@mckoolsmith.com

Robert A. Cote
rcote@mckoolsmith.com
Laura A. Handley
Texas State Bar No. 24055024
lhandley@mckoolsmith.com
One Bryant Park, 47th Floor
New York, New York 10036
Telephone: (212) 402-9400
Facsimile: (212) 402-9444

ATTORNEYS FOR PLAINTIFF WI-LAN INC.

Dated: October 14, 2013

Respectfully submitted,

MORGAN, LEWIS & BOCKIUS LLP

/s/ David J. Levy

David J. Levy, Lead Attorney

State Bar No. 12264850

dlevy@morganlewis.com

C. Erik Hawes

State Bar No. 24042543

ehawes@morganlewis.com

Thomas R. Davis

State Bar No. 24055384

tdavis@morganlewis.com

1000 Louisiana Street, Suite 4000

Houston, Texas 77002

(713) 890-5000 Telephone

(713) 890-5001 Facsimile

GILLAM SMITH, LLP

Melissa Smith

melissa@gillamsmithlaw.com

303 S. Washington Ave.

Marshall, Texas 75670

(903) 934-8450 Telephone

(903) 934-9257 Facsimile

**ATTORNEYS FOR DEFENDANT/
COUNTER-PLAINTIFF
HEWLETT-PACKARD COMPANY**

CERTIFICATE OF SERVICE

I hereby certify that on the 14th day of October, 2013, I electronically filed the foregoing document with the clerk of the court for the U.S. District Court, Eastern District of Texas, Marshall Division, using the electronic case filing system of the court. The electronic case filing system sent a “Notice of Electronic Filing” to the attorneys of record who have consented in writing to accept this Notice as service of this document by electronic means.

/s/ Sam Baxter

CERTIFICATE OF CONFERENCE

I hereby certify that counsel for Wi-LAN and HP met and conferred in person, telephonically, and/or electronically over the past year and most recently on October 14, 2013 and that the relief sought in this motion is agreed by Wi-LAN and HP.

/s/ Sam Baxter
